

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of
Snapchat
Venice, CA 90291

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File No.: EB-FIELDWR-17-00025588

NOTICE OF VIOLATION

Released: August 14, 2018

By the Regional Director, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Snapchat, licensee of trunked land mobile radio station WQVZ814. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Federal Communications Commission's (Commission's) Enforcement Bureau (Bureau) from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.²

2. On March 2, 2018, in response to a complaint of harmful radio frequency interference on frequency 464.1875 MHz from a co-channel licensee 17.2 kilometers away, an Agent of the Bureau's Los Angeles Office investigated and observed the following violation of the rules:

- a. 47 CFR § 90.187(b): "Except as provided in paragraphs (c) and (d) of this section, trunked systems operating under this section must employ equipment that prevents transmission on a trunked frequency if a signal from another system is present on that frequency. The level of monitoring must be sufficient to avoid harmful interference to other systems." At the time of the inspection of the Snapchat repeaters installed at 2800 Donald Douglas Loop N., Santa Monica, California, the licensee was not monitoring its trunked repeater output frequency 464.1975 MHz to prevent transmissions when a nearby co-channel licensee was communicating.

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Snapchat must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Snapchat to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Snapchat with personal knowledge of the representations provided in Snapchat's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. specified above, and mailed to the following address:

Federal Communications Commission
Enforcement Bureau
Los Angeles Regional Office
11331 183rd Street, PMB #365
Cerritos, CA 90703
FIELD@FCC.GOV

6. This Notice shall be sent to Snapchat at its address of record.

³ 47 U.S.C. § 403.

⁴ 47 CFR § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 CFR § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 CFR § 1.17.

7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

⁷ See 5 U.S.C. § 552a(e)(3).